

EXPEDITED PROCEDURE-EXAMINING GROUP 2169

S/N 10/763,741

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Karthik Ramani et al.	Examiner:	Dung Chau
Serial No.:	10/763,741	Group Art Unit:	2169
Filed:	January 23, 2004	Docket No.:	1165.021US1
Customer No.:	21186	Confirmation No.:	7671
Title:	METHODS, SYSTEMS, AND DATA STRUCTURES FOR PERFORMING SEARCHES ON THREE DIMENSIONAL OBJECTS		

Reply Brief to Examiner's Answer

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Examiner's Answer mailed November 13, 2009, please see the remarks that follow:

REMARKS

This responds to the Examiner's Answer mailed on November 13, 2009.

Fundamentally, the Examiner continues to assert that the Gever reference receives a three-dimensional (3D) object that is used to "search." Applicant has claimed in independent claim 1 a "three dimensional object [used] as a first search query" against one or more data stores. It is clear that the query is a 3D object from the recited claim language. Yet, the Examiner continues to confuse the source data being searched (library) and the search term (query) used to conduct the search against the library.

Specifically, the Examiner recites Gever column 7 line 59 to column 8 line 5; column 11 lines 16-26; column 26 lines 31-38; and column 27 lines 38-45 for showing a 3D object used as a search term. These references locations explicitly teach a 2D image or even as stated in Gever "image representations of smart objects" as the search queries. Gever goes into explicit detail about mapping predefined keywords for an image to indexed keywords for the 3D smart objects to locate the 3D objects. There is no teaching of using 3D smart objects as search queries in fact Gever specifically states that a 2D image version of the smart objects are used to search the 3D library. Applicant respectfully asserts that Gever just teaches using 2D or even 1D (keywords) for searching a 3D library and does not even suggest any mechanism for using a 3D object as a "search query."

Thus, Applicant does not believe the Answer supplied by the Examiner corrects any deficiency of record because it merely recites the 3D smart objects and does not demonstrate that a 3D object is used as a search query. Again, Gever teaches searching a 3D library for the 3D smart objects using a 2D or 1D search query.

The Examiner asserts that the 3D objects are defined in a skeletal manner in Gever and as such searching using a graph is also taught in Gever. The problem with this argument is that the 3D aspects of the objects in Gever are used and defined to render the objects to a screen for viewing, the 3D characteristics are not used as search queries to locate specific objects; rather, what Gever does is use predefined keywords that are indexed as metadata with the 3D objects and then permits 1D keywords to be used to search for 3D objects. The searching in Gever is simply not done using graphs or 3D attributes as the Examiner alleges to be the case.

Accordingly, the rejections with respect to claims 1-2, 4-7 and 76-77 should be withdrawn and these claims allowed.

With respect to claims 8-13, the Examiner relies again on Gever to teach using a “three dimensional representation as a first search query,” as recited in independent claim 8. Gever explicitly teaches using 2D or 1D (keywords) for searching; Gever does not even remotely provide a teaching or suggestion of a teaching for using a three dimensional representation as a search query. As such, this rejection cannot be sustained.

Applicant respectfully believes that the Examiner has misinterpreted the Gever reference entirely and has asserted teachings that are simply not present in any form whatsoever in Gever. Specifically, there are no teachings or even suggestions of possible teachings in Gever where 3D objects or graphs are used as “search queries” or “search terms.” Gever only teaches searching against a 3D library using 1D or 2D (image) queries. As a result, Applicant does not believe the rejections of record are sustainable and respectfully requests an indication of the same from the Board.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' representative at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 13, 2010.

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